

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 05-3614

TYSON ALAN DITCH,

Appellant

v.

JAMES L. GRACE

On Appeal from the United States District Court
for the Western District of Pennsylvania
(D.C. Civil No. 04-cv-00164E)
District Judge: Hon. Sean J. McLaughlin

Argued October 25, 2006

BEFORE: SMITH, FISHER and COWEN, Circuit Judges

JUDGMENT

This cause came on to be heard on the record from the United States District Court for the Western District of Pennsylvania and was argued on October 25, 2006. On consideration whereof, it is now here ordered and adjudged that the judgment of the District Court entered on June 29, 2005, be and the same hereby is affirmed. All of the

above in accordance with the opinion of this Court.

ATTEST:

/s/ Marcia M. Waldron

Clerk

DATED: 1 March 2007